

EXHIBIT B
AFFIDAVIT DATED DEC. 22, 2021
BY
HEIDI B. MILLER, M.D.

AFFIDAVIT OF HEIDI B. MILLER, M.D.

**STATE OF MISSOURI
CITY OF ST. LOUIS**

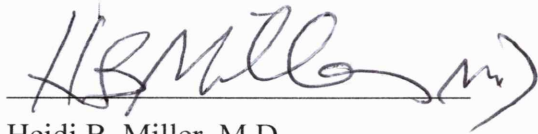
I, Heidi B. Miller, M.D., hereby affirm the following:

1. I have been retained as a medical expert for Mr. Charles James Atcitty in his medical malpractice claims against the Indian Health Service (I.H.S.) Kayenta Health Center (KHC) and the doctors there who encountered and treated Mr. Atcitty from July 6, 2016 through September 6, 2016.
2. As part of the administrative claims process, I prepared an Affidavit dated November 20, 2018 regarding my qualifications to provide expert testimony with respect to Mr. Atcitty's medical malpractice claims, my CV and my expert report dated November 18, 2018 wherein I opined that the medical doctors and staff who treated Mr. Atcitty at the I.H.S. KHC failed to properly diagnose and treat Mr. Atcitty in a prudent manner given the circumstances of his condition and such failures were the proximate cause of his injuries, which could have been prevented or mitigated with the proper diagnosis and treatment.
3. My Affidavit, Medical Expert Report, and CV, all dated November 20, 2018 were submitted as part of Mr. Atcitty's Initial Rule 26 Disclosures, and can be located at Bates Nos. 01043-01083. I hereby incorporate by reference said Affidavit, Medical Expert Report, and CV (statement of education, training, and qualifications). This Affidavit is supplemental in nature.
4. I am a board-certified internal-medicine physician duly licensed in the State of Missouri in active practice for 18 years. I graduated from Harvard Medical School in 2000 and completed my residency in internal medicine at Harvard's Brigham and Women's Hospital in 2003.

5. Since completing my residency in 2003, I have continually maintained a medical practice at a community health center in Saint Louis, Missouri where I do primary care and urgent care for a patient population with high complexity and multi-morbidity.
6. I have been continuously Board-Certified by the American Board of Internal Medicine. I have never had any certification, licensure, or credentialing interrupted or withdrawn for any reason.
7. I have reviewed the medical records provided to me for Mr. Atcitty, from August 24, 2015 to June 3, 2018, from the Kayenta Health Center, Phoenix Indian Medical Center, Banner University Medical Center, Banner Good Samaritan Medical Center, Montecito Post-Acute Care facility; Companion Hospice and Palliative Care of Maricopa, and VHS Outpatient Clinics. (The VHS Outpatient records extended the review to June 30, 2020; I reviewed them after my report but did not deem it necessary to update the report).
8. At the I.H.S. KHC, the health center and doctors there who treated Mr. Atcitty were engaged in outpatient, urgent, and emergency clinical medicine comparable to the medical services that I teach to medical students and that I practice in my active general practice as a medical doctor.
9. My opinions are based upon my medical training, my medical experience with complex patients with multimorbidity, academic teaching, writing and invited speaking, and continuous practice in the areas of internal medicine and urgent/emergent clinical medicine. In my opinion, the Kayenta Health Center, medical doctors and staff who treated Mr. Atcitty were required to exercise standards of care but failed to properly diagnose and treat Mr. Atcitty in a prudent manner given the circumstances of his condition. Those failures were the proximate cause of his injuries, which could have been prevented with the proper evaluation, diagnosis and treatment.


10. The medical opinions expressed in my November 2018 report are based on a reasonable degree of medical and scientific certainty based on my education, training and experience, as well as peer-reviewed medical treatises and journals that are trusted sources of information routinely relied upon by medical experts evaluating and forming opinions on medical conditions and medical care.

FURTHER AFFIANT SAYETH NAUGHT



Heidi B. Miller, M.D.

The foregoing Affidavit was acknowledged before me, an officer duly authorized in the State and County aforesaid, to take acknowledgement, this 22 day of December in the year 2021, by Heidi B. Miller, M.D., who is personally known to me or has produced Missouri Drivers License as identification.

Signature: 

Printed name of notary: Faheem Kaher Mahmoud

Notary Public, State of Missouri.

My commission expires:

10/21/2022

